

Environmental Protection Agency

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periods during which production was at a maximum.

(2) To assure equity in the determination of NPDES permit limitations regulating discharges subject to this subpart, calculation of the long-term average daily BOD₅ load in the influent to the wastewater treatment system must exclude any portion of the load associated with separable mycelia and solvents, except for residual amounts of mycelia and solvents remaining after the practices of recovery and/or separate disposal or reuse. Residual amounts of these substances may be included in the calculation of the average influent BOD₅ loading.

(3) The practices of recovery, and/or separate disposal or reuse include: physical separation and removal of separable mycelia; recovery of solvents from wastestreams; incineration of concentrated solvent wastestreams (including tar still bottoms); and broth concentration for disposal other than to the treatment system. This part does not prohibit the inclusion of such wastes in raw waste loads in fact, nor does it mandate any specific practice, but rather describes the rationale for determining NPDES permit limitations. The effluent limitation for BOD₅ may be achieved by any of several, or a combination, of these practices.

(b) The limitation for TSS is the same as specified in § 439.12(b).

(c) Except for the provisions in paragraph (d) of this section, the limitations for COD are as follows:

EFFLUENT LIMITATIONS (BPT)

Regulated parameter	Maximum daily ¹	Maximum monthly average ¹
COD	228	86

¹ mg/L (ppm)

(d) If the maximum monthly average COD concentration in paragraph (c) of this section is higher than a concentration value reflecting a reduction in the long-term average daily COD load in the raw (untreated) process wastewater of 74 percent multiplied by a variability factor of 2.2, then a monthly average limitation for COD corresponding

to the lower concentration value must be applied.

[63 FR 50430, Sept. 21, 1998, as amended at 68 FR 12273, Mar. 13, 2003]

§ 439.23 Effluent limitations attainable by the application of the best conventional pollutant control technology (BCT).

Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the application of BCT: Limitations for BOD₅, TSS and pH are the same as the corresponding limitations in § 439.22.

[63 FR 50430, Sept. 21, 1998]

§ 439.24 Effluent limitations attainable by the application of best available technology economically achievable (BAT).

Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the application of BAT: Limitations for COD are the same as the corresponding limitations in § 439.22(c) and (d).

[63 FR 50431, Sept. 21, 1998]

§ 439.25 New source performance standards (NSPS).

(a) Any new source subject to this subpart must achieve the following standards:

PERFORMANCE STANDARDS (NSPS)

Regulated parameter	Maximum daily ¹	Maximum monthly average ¹
BOD ₅	35	18
TSS	58	31
COD	228	86

¹ mg/L (ppm)

(b) Any new source subject to the provisions of this section that commenced discharging after November 21, 1988, and prior to November 20, 1998, must continue to achieve the standards specified for this section in the 1988 edition of 40 CFR part 439, until the expiration of the applicable time period specified in 40 CFR 122.29(d)(1), after which the source must achieve the

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standards specified in §§ 439.23 and 439.24.

[68 FR 12273, Mar. 13, 2003]

§ 439.26 Pretreatment standards for existing sources (PSES).

Except as provided in 40 CFR 403.7 and 403.13, any existing source subject to this subpart must achieve the following standards by September 21, 2001:

PRETREATMENT STANDARDS (PSES)

Regulated parameter	Maximum daily ¹	Maximum monthly average ¹
Acetone	20.7	8.2
n-Amyl acetate	20.7	8.2
Ethyl acetate	20.7	8.2
Isopropyl acetate	20.7	8.2
Methylene chloride	3.0	0.7

¹ mg/L (ppm).

[68 FR 12273, Mar. 13, 2003]

§ 439.27 Pretreatment standards for new sources (PSNS).

Except as provided in 40 CFR 403.7, any new source subject to this subpart must achieve the following pretreatment standards:

Regulated parameter	Pretreatment standards ¹	
	Maximum daily discharge	Average monthly discharge must not exceed
1 Acetone	20.7	8.2
2 n-Amyl acetate	20.7	8.2
3 Ethyl acetate	20.7	8.2
4 Isopropyl acetate	20.7	8.2
5 Methylene chloride	3.0	0.7

¹ Mg/L (ppm).

[63 FR 50431, Sept. 21, 1998; 64 FR 48104, Sept. 2, 1999]

Subpart C—Chemical Synthesis Products

§ 439.30 Applicability.

This subpart applies to discharges of process wastewater resulting from the manufacture of pharmaceutical products by chemical synthesis.

[63 FR 50431, Sept. 21, 1998]

§ 439.31 Special definitions.

For the purpose of this subpart:

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(a) *Chemical synthesis* means using one or a series of chemical reactions in the manufacturing process of a specified product.

(b) *Product* means any pharmaceutical product manufactured by chemical synthesis.

[68 FR 12273, Mar. 13, 2003]

§ 439.32 Effluent limitations attainable by the application of the best practicable control technology currently available (BPT).

Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the application of BPT:

(a) The limitation for BOD₅ is the same as specified in § 439.12(a).

(b) The limitation for TSS is the same as specified in § 439.12(b).

(c) The limitations for COD are the same as specified in § 439.12(c) and (d).

(d) The limitations for cyanide are the same as specified in § 439.12(e), (f) and (g).

[63 FR 50431, Sept. 21, 1998, as amended at 68 FR 12273, Mar. 13, 2003]

§ 439.33 Effluent limitations attainable by the application of the best conventional pollutant control technology (BCT).

Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the application of BCT: Limitations for BOD₅, TSS and pH are the same as the corresponding limitations in § 439.32.

[63 FR 50432, Sept. 21, 1998]

§ 439.34 Effluent limitations attainable by the application of best available technology economically achievable (BAT).

Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the application of BAT:

(a) The limitations are the same as specified in § 439.14(a).

(b) The limitations for COD are the same as specified in § 439.12(c) and (d).